

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HERITAGE GUITAR, INC.,

Case No. 20-cv-229

Plaintiff,

Honorable Hala Y. Jarbou

v.

Magistrate Judge Ray Kent

GIBSON BRANDS, INC.,

Defendant.

**HERITAGE GUITARS, INC.'S MOTION
TO STRIKE GIBSON BRANDS, INC.'S UNTIMELY COUNTERCLAIMS**

NOW COMES Plaintiff, Heritage Guitar, Inc., (“Heritage”) by and through its attorneys, and files this Motion to Strike Gibson Brands, Inc.’s (“Gibson”) Untimely Counterclaims. In accordance with Local Rule 7.1(d), on July 5, 2022, Heritage’s counsel sought consent of Gibson’s counsel, which was not granted.

WHEREFORE, Heritage respectfully requests that this Court grant its motion and hold that Gibson’s initial counterclaims remain Gibson’s operative counterclaims, and all new allegations and new causes of action pleaded in Gibson’s Amended Counterclaims, ECF No. 147, are stricken. Respectfully submitted,

Dated: July 5, 2022

Respectfully submitted:

By: /s/ Mark A. Ford

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Attorneys for Plaintiff Heritage Guitar, Inc.

ORDER

This matter is before the Court on Plaintiff Heritage Guitar, Inc.'s Motion to Strike Gibson Brands Inc.'s Untimely Counterclaims. It is ORDERED that Heritage Guitar, Inc.'s Motion is GRANTED. All new allegations and new causes of action pleaded in Gibson's Amended Counterclaims, ECF No. 147, are stricken.

SO ORDERED, this _____ day of _____, 2022.

Lansing, Michigan

Hala Y. Jarbou
United States District Judge